



CITY OF DANBURY
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PLANNING COMMISSION
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MINUTES
MAY 4, 2022

The web-based meeting hosted on Zoom was called to order by Chairman Arnold Finaldi Jr. at 7:30 PM.

Present were Robert Chiocchio, Helen Hoffstaetter, Perry Salvagne, and Arnold Finaldi Jr. Also present was Deputy Planning Director Jennifer Emminger and Planning Department Intern Allie Smith.

Absent were Alternates Kevin Haas and Gary Renz.

Chairman Finaldi noted that they do have a vacant seat as no one has been appointed yet to take Mr. Urice's place.

Mrs. Hoffstaetter made a motion to accept the April 20, 2022 minutes. Mr. Chiocchio seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

Chairman Finaldi noted that the next regular meeting is scheduled for May 18, 2022 at 7:30 PM. It will be on the Zoom platform and the entire meeting will be devoted to the public hearing on the Affordable Housing Plan. He also announced that for the public hearing on tonight's agenda, they will not be hearing any testimony tonight regarding the traffic.

PUBLIC HEARING:

Pioneer Realty LLC – Application for Special Exception/Site Plan Approval for (1) Use Generating Over 500 Vehicle Trips Per Day & (2) Sale or Rental of Automobiles and Trucks In Accordance with Section 6.a.5.g. of the Zoning Regulations (Curry Automotive) in the IL-40 Zone - 1 & 15 Miry Brook Road (G18007 & G18016) – SE #785.

Chairman Finaldi read the legal notice for this application. Attorney Meaghan Myles from Carmody, Torrance, Sandak, and Hennessey, spoke in favor of this application. She said with her this evening are her colleague, Attorney Mike Sweeney, Bob Carinci, the Chief Operating Officer from Curry, Mike Kozlowski from Claris Construction, and Emily Jones from Civil 1 Engineering. Their traffic engineer, Michael Galante, from Hardesty & Hanover

is not with them this evening as they will not be discussing any traffic impacts at this meeting. She said this site is located at the corner of Sugar Hollow and Miry Brook Roads. The applicant just purchased this property in 2021 and they understand it has quite a colorful history. They intend to develop the site as a Mercedes Benz sales and service center. She said Pioneer Realty is owned by the Curry family. She explained that they usually buy the properties they develop. She shared a PowerPoint presentation that went over the key points and said she or any member of the team would be happy to answer questions. She said after they get through this process, they still have to go to the Zoning Commission for a Certificate of Location Approval in order to get the Automotive Dealers & Repairers license. She said the Zoning Regulations were amended in 2020 to add this as a special exception use. Access to this site will be only from Miry Brook Road or Wallingford Road; there is no access from Sugar Hollow Road. She said the site improvements include landscaping and adding stormwater drainage and showed the floor plans for the building. The approximately 31,000 sq.ft. building will have the retail sales area, offices, and the service center on the first floor and the second floor will contain both the rooftop and interior display areas. There was some discussion regarding the trip generation numbers as well as the rooftop display area. Mr. Carinci spoke briefly about the use of the rooftop saying that the second-floor storage will be for internal use only; it is not designed or intended for customer use. Attorney Myles then said this is such a highly visible site that they wanted the building to be as attractive as possible. She added that they were done for tonight unless there are questions.

Chairman Finaldi asked the Commission members if they had any other questions besides what had already been discussed and there were none. He then asked if there was anyone else to speak in favor of this application.

Fifth Ward City Councilman Fred Visconti, Mountainville Road, said he was here for the traffic but will save his comments until the next meeting. He said he is glad to see something finally being done with this site.

Sixth Ward City Councilman Paul Rotello, Linden Place, said he is looking forward to the resolution of this site. He said at the next meeting, he would like to hear further clarification of the “rooftop” parking as to what the people on Wooster Heights would see as they approached the intersection. Attorney Myles said representatives from Curry met with many of the neighbors, most of whom were glad to see something favorable being done with this property.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and there was no one.

Mr. Chiocchio made a motion to continue the public hearing until the June 1, 2022 meeting. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes.

CONTINUATION OF PUBLIC HEARING:

Laurel Draper - Application for Special Exception/Site Plan Approval for Self Storage ("Modern Self Storage") in the IL-40 Zone - 12 Great Pasture Road (L16010) – SE #782.

Mike Mazzucco PE spoke in favor of this application. He said they received approval from the Environmental Impact Commission (EIC) last week. He said he incorporated their comments into the revised plans that were submitted in response to departmental comments. The EIC decision precluded the dumping of snow into the wetland and floodplain areas.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and there was no one. He then asked Mrs. Emminger if they could close the hearing now.

Mrs. Emminger said Departmental comments are still needed on the revised plans and there are still unresolved issues that will affect the floodplain permit but they will be reviewed separately. She added that the outstanding issues can be conditioned in the resolution for the decision. Chairman Finaldi asked if any excavation work will be required to get permits since they have had to do work to clean up the site. Mrs. Hoffstaetter asked about fencing in the rear of the site. Mr. Mazzucco said the fencing will be on top of the retaining wall that surrounds the detention basin, the whole operation will be fenced in. He said they are looking to eliminate the non-conforming uses on this site because they own the abutting properties and intend to come back to expand the proposed business onto them.

Mrs. Hoffstaetter made a motion to close the public hearing. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes. Mrs. Hoffstaetter made a motion to move this matter to item #2 under the Old Business on tonight's agenda so they can give Mrs. Emminger guidance for the resolution. Mr. Chiochio seconded the motion and it was passed unanimously by voice vote with four ayes.

OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

100 Mill Plain Investors LLC – Application for Revised Special Exception/Revised Site Plan Approval for Conversion of Professional Office Space to Medical Office Space (Dr. Shweta, DDS) in the CA-80 Zone – 100 Mill Plain Road (C14058) – SE #728.

Chairman Finaldi said they all should have received the draft resolution dated April 28, 2022. Mrs. Emminger reviewed the draft resolution and said this additional medical space does not affect the trip generation but any additional medical space is added, it probably will require them to come back to the Commission for a trip generation approval. Mr. Salvagne made a motion to approve this application per the draft resolution as discussed. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with four ayes.

Laurel Draper - Application for Special Exception/Site Plan Approval for Self Storage (“Modern Self Storage”) in the IL-40 Zone - 12 Great Pasture Road (L16010) – SE #782.

Chairman Finaldi asked for comments from the Commission members. Mrs. Hoffstaetter said she is okay with approving this if all of the illegal activities are resolved to the satisfaction of the Zoning Enforcement staff and the EIC approval. Mr. Chiocchio said he agreed with Mrs. Hoffstaetter as long as all of the site issues are addressed. Mr. Salvagne said his largest concern was the proposed snow removal, so as long as that is addressed, he is also okay with approval. Mrs. Emminger then said the EIC approval includes language that specifically precludes the dumping of snow into the wetlands and says that when there is no place for snow storage, it will be carted to an offsite location. She said the resolution will also include the standard administrative requirements, also language for the easement and site grading access to the detention basin. Mr. Chiocchio asked if they come back to expand onto the abutting property but have not satisfied the conditions of this approval, can that be handled at that point. Mrs. Emminger said whether they come back with a stand-alone application for the abutting property or they ask to expand this site, any negatives would be brought up as part of that review. The Commission members directed Mrs. Emminger to prepare a resolution of approval for the next meeting.

REFERRAL:

8-24 Referral – April 2022 City Council Agenda Item #13: Request for Sewer Extension for 43, 45A, 45B, 47, & 49 Miry Brook Road (F19008, F19059, F19006, F19005, & F19004).

Chairman Finaldi said they would discuss this referral and make a recommendation at the next meeting on May 18, 2022. He added that this would be the only other item on that meeting agenda, besides the public hearing on the Affordable Housing Plan.

NEW BUSINESS:

190 White St. LLC/Mars Electric LLC – Application for Revised Special Exception/Revised Site Plan to allow Expansion of Existing Day Care Center (“Twinkle Little Star Day Care”) in the CG-20 Zone – 190 White St./Rear (#J13004) – SE #672. Public hearing scheduled for June 15, 2022.

BRT Brookview Commons LLC – Application for Revised Site Plan Approval in accordance with Section 10.D.7.c of the Zoning Regulations for “Brookview Commons Phase II” in the C-CBD Zone – 333 Main Street (I13034) – SE 767. Public hearing scheduled for June 1, 2022.

Chairman Finaldi said these applications would be on file in the Planning & Zoning office.

Chairman Finaldi noted that there was nothing listed under Other Matters or Correspondence and listed under For Reference Only were one public hearing scheduled for June 1, 2022 and three floodplain permits. He noted that at the next meeting, they would hold the public hearing on the Affordable Housing Plan and the 8-24 Referral. All of the other business would be tabled and continued to the June 1, 2022 meeting.

At 8:30 PM, Mr. Chiochio made a motion to adjourn. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with four ayes.

Respectfully submitted,

JoAnne V. Read
Planning Assistant